

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ROBERT N. HARRINGTON, JR.)	CASE NUMBER 05-40115 FDS
Plaintiff)	
)	
VS.)	
)	
JAMES M KREIDLER, JR. AND)	
THE TOWN OF WINCHENDON)	
Defendants)	

JOINT MOTION TO AMEND SCHEDULING ORDER

The parties to the above action, by their attorneys, respectfully request this Honorable Court to amend the present scheduling order to allow an additional 3 months to complete discovery and extend all other dates accordingly. As ground therefore, the defendants state as follows:

1. This action arises out of the plaintiff's employment with the Town of Winchendon.
2. In addition to the present action, the plaintiff has an appeal pending before the Civil Service Commission. The hearing took approximately 5 days and closed on December 21, 2006. Briefs are due on February 28, 2007 and a decision is expected to issue by late March or early April, 2007.
3. The decision in the Civil Service case significantly impacts the breadth and complexity of claims in this case. In light of the length of the hearing, waiting for a decision will save resources as it may eliminate the need for certain depositions in the instant case.
4. The parties have propounded written discovery but because of the ongoing preparation for the Civil Service Commission hearing and scheduling

conflicts due to trial schedules, the parties need additional time to conduct depositions.

WHEREFORE, the parties respectfully request that this Honorable Court to amend the present scheduling order as follows:

1. All fact discovery including written discovery, request for admissions and depositions to be completed by June 30, 2007;
2. Plaintiff and defendants' trial experts and any information contemplated by Fed.R. C. Pr. 26 (a)(2) disclosed and depositions of trial experts by June 30, 2007;
3. Dispositive motions, including motions for summary judgment, partial motions for summary judgment and motions for judgments on the pleadings filed by August 1, 2007.
4. A Pre-Trial Conference to be held in July 2007.

Respectfully Submitted,

The defendants,
By their attorneys,

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Date: February 16, 2007